

## **REMARKS**

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Upon entry of this Amendment, claims 3-12, 15-24, 26-36, and 39-47 are pending in the application. Claims 1, 2, 13, 14, 25, 37, and 38 have been cancelled, and claims 3-5, 8, 15-17, 20, 26-29, 34-36, 39-42, 46, and 47 have been amended.

Applicants gratefully acknowledge the indication of allowable subject matter in claims 3, 4, 15, 16, and 39 which would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant also gratefully acknowledges the indication of allowable subject matter in claim 26 if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph, and to include all the limitations of the base claim and any intervening claims. Accordingly, claims 3, 4, 15, 16, 26, and 39 have been rewritten in independent form and are in condition for allowance.

The specification has been amended for clarity purposes only in order to overcome objections noted by the Examiner in paragraph 1 of the Office Action. Withdrawal of this rejection is respectfully requested.

Claims 20-24 and 26 are rejected under 35 U.S.C. §112, second paragraph. Claims 20 and 26 have been amended for clarity purposes only in order to overcome this rejection. Withdrawal of the rejection under §112, second paragraph, is respectfully requested.

Claims 1, 2, 5, 13, 14, and 17 are rejected under 35 U.S.C. §102(b) by Sun, U.S. Patent No. 5,474,483. Claims 1, 5, 13, and 17 are rejected under 35 U.S.C. §102(b) by Tsutsumikoshi et al., U.S. Patent No. 4,535,869. Claims 37, 38, 46, and 47 are rejected under 35 U.S.C. §102(b) by Asao et al., U.S. Patent No. 5,791,431. Claims 1, 8-10, 13, 20-22, 25-27, 35-37, 40, 42, 43, 46, and 47 are rejected under 35 U.S.C. §102(e) by Johnson et al., U.S. Patent No. 6,224,134. Claims 6, 7, 18, and 19 are rejected under 35 U.S.C. §103(a) over Sun. Claims 25 and 27-36 are rejected under 35 U.S.C. §103(a) over Sun. Also, claims 11, 12, 23, 24, 41, 44, and 45 are rejected under 35 U.S.C. §103(a) over Johnson. These rejections are respectfully traversed.

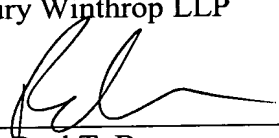
As noted above, claims 3, 4, 15, 16, 26, and 39 are in condition for allowance. The remaining claims are allowable by virtue of their dependence on these allowed claims and for their recitation of additional patentable subject matter. Accordingly, the entire application is in condition for allowance, and a notice to that effect is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the claims by the current Amendment. The attached Appendix is captioned "Version With Markings to Show Changes Made".

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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Attachment:  
Appendix

## **APPENDIX**

### **Version With Markings to Show Changes Made**

#### **IN THE SPECIFICATION:**

The specification is amended as follows:

Page 8, paragraph 38:

The fender structure 203 also includes a support portion that is designed as a load bearing surface. The support portion is defined by at least a top portion of one or more of the left and right fenders 204. In Fig. 3, the support portion includes a plurality of integrally formed raised support portions 220, 222 that are built-in to the fender structure 203. The support portions 220 may [include, for example,] be in the form of lateral portions [220] on each side of the front storage compartment 202, and the support portions 222 may be in the form of cross-over portions [222] that are transverse to the lateral portions 220. The upper surface of the cover 211 may include one or more raised support portions that are similar to the lateral support portions 220. In this embodiment, the lateral portions 220 and the cross-over portions 222 are designed as and define the support surface. As shown in Figure 3, the bottom surface of the storage compartment 202 also includes raised portions 223, *i.e.*, ribs, defining a raised support plane and providing flexural rigidity. In addition to providing a load bearing surface, the lateral portions 220, 223 and the cross-over portions 222 also have the effect of increasing the rigidity of the fender structure 203, by increasing its resistance to torsion.

Pages 13-14, paragraph 53

At the front F of the upper member 30, a pair of generally U-shaped support bars 38 are provided. A pair of generally U-shaped support bars 40 are provided at the rear R of the upper member 30. The support bars 38, 40 may also have different shapes, and are not limited to U-shaped members. Portions of the support bars 38, 40 extend along the width, *e.g.*, about 2/3 of the width, and beneath the front and rear storage compartments 302, 346, respectively. As shown in Figure 10, a rear handlebar 352 includes laterally extending portions 354 that connect to the portions of the rear support [arms] bars 40.

**IN THE CLAIMS:**

Claims 1, 2, 13, 14, 25, 37, and 38 are cancelled.

The claims are amended as follows:

3. (Amended) A fender structure for a vehicle with a plurality of wheels, comprising:  
a right fender portion positionable over a right wheel;  
a left fender portion associated with the right fender portion and positionable over a  
left wheel, wherein at least one of the right fender portion and the left fender portion includes  
a support portion designed as a load-bearing surface that is defined at least in part by a top  
surface of at least one of the left and right fender portions;  
a storage compartment formed in the support portion with an opening through which  
items may be placed into the storage compartment;  
a cover positionable over the opening; and  
[The fender structure of claim 2, further comprising:]  
raised support portions, in at least one of a lateral, longitudinal, and diagonal  
direction, integrally formed in at least one of the support portion and the storage  
compartment.

4. (Amended) A fender structure for a vehicle with a plurality of wheels, comprising:  
a right fender portion positionable over a right wheel;  
a left fender portion associated with the right fender portion and positionable over a  
left wheel, wherein at least one of the right fender portion and the left fender portion includes  
a support portion designed as a load-bearing surface that is defined at least in part by a top  
surface of at least one of the left and right fender portions; and  
[The fender structure of claim 1, further comprising:]  
raised support portions, in at least one of a lateral, longitudinal, and diagonal  
direction, integrally formed in the support portion.

5. (Amended) The fender structure of claim [1] 4, wherein:  
the right fender portion, the left fender portion and the support portion are integrally  
formed with one another as a single unit.

8. (Amended) The fender structure of claim [1] 4, further comprising:  
a mud guard positionable adjacent at least one of the left and right wheels; and  
a floor board extending away from the at least one mud guard.

15. (Amended) A vehicle with a plurality of wheels, comprising:  
a right fender portion positionable over a right wheel;  
a left fender portion associated with the right fender portion and positionable over a  
left wheel, wherein at least one of the right fender portion and the left fender portion includes  
a support portion designed as a load-bearing surface that is defined at least in part by a top  
surface of at least one of the left and right fender portions;

a storage compartment formed in the support portion with an opening through which  
items may be placed into the storage compartment;

a cover positionable over the opening; and

[The vehicle of claim 14, further comprising:]

raised support portions, in at least one of a lateral, longitudinal, and diagonal  
direction, integrally formed in at least one of the support portion and the storage  
compartment.

16. (Amended) A vehicle with a plurality of wheels, comprising:  
a right fender portion positionable over a right wheel;  
a left fender portion associated with the right fender portion and positionable over a  
left wheel, wherein at least one of the right fender portion and the left fender portion includes  
a support portion designed as a load-bearing surface that is defined at least in part by a top  
surface of at least one of the left and right fender portions; and

[The vehicle of claim 13, further comprising:]

raised support portions, in at least one of a lateral, longitudinal, and diagonal  
direction, integrally formed in the support portion.

17. (Amended) The vehicle of claim [13] 16, wherein:  
the right fender portion, the left fender portion and the support portion are integrally  
formed with one another as a single unit.

20. (Amended) The vehicle of claim [13] 16, further comprising:  
a mud guard positionable adjacent at least one of the left and right wheels; and  
a floor board extending away from the [at least one] mud guard.

26. (Amended) An all terrain vehicle including a plurality of wheels, the vehicle comprising:

a fender structure positioned over the wheels, the fender structure including a plurality of raised support portions, wherein the raised support portions and the fender structure are formed of a plastic material;

[The all terrain vehicle of claim 25, further comprising:]

a main frame from which the wheels are suspended; and

a bumper supported by the main frame,

wherein the raised support portions are supported by the main frame and are not supported by the bumper.

27. (Amended) The all terrain vehicle of claim [25] 26, wherein the plastic material is selected from the group comprising polyethylene, polypropylene and fiberglass-charged polyethylene.

28. (Amended) The all terrain vehicle of claim [25] 26, wherein the fender structure and the raised support portions are formed as a one piece unit.

29. (Amended) The all terrain vehicle of claim [25] 26, further comprising a storage compartment formed integrally with the fender structure and the raised support portions.

34. (Amended) The all terrain vehicle of claim [25] 26, wherein the fender structure comprises lateral portions and at least one cross-over portion extending transverse to the lateral portions, the lateral portions and the at least one cross-over portion defining a support plane.

35. (Amended) The all terrain vehicle according to claim [25] 26, wherein the fender structure is a rear end portion of the all terrain vehicle.

36. (Amended) The all terrain vehicle according to claim [25] 26, wherein the fender structure is a front end portion of the all terrain vehicle.

39. (Amended) An all terrain vehicle comprising:  
a main frame that suspends a plurality of wheels;  
a fender structure supported by the main frame, the fender structure having a plurality of built-in raised support portions;  
a storage compartment positioned within the fender structure; and  
a cover sized to cover the storage compartment.

[The all terrain vehicle of claim 38,] wherein the fender structure includes a central support surface defined by the cover and a lateral support surface on each side of the central support surface.

40. (Amended) The all terrain vehicle of claim [37] 39, wherein the fender structure and the plurality of built-in raised support portions are made of plastic selected from the group comprising polyethylene, polypropylene and fiberglass-charged polyethylene.

41. (Amended) The all terrain vehicle of claim [37] 39, wherein the fender structure and the built-in raised support portions are formed as a one piece unit.

42. (Amended) The all terrain vehicle of claim [37] 39, further comprising a mud guard and a floor board integrally formed to the fender structure.

46. (Amended) The all terrain vehicle of claim [37] 39, wherein the fender structure is a front end portion of the all terrain vehicle.

47. (Amended) The all terrain vehicle of claim [37] 39, wherein the fender structure is a rear end portion of the all terrain vehicle.